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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,) Case No. 3:05-cr-00097-JWS
)
Plaintiff,) <u>MOTION TO DISMISS</u>
) <u>INDICTMENT</u>
vs.)
)
FRANK MOTA-RIJO,)
)
Defendant.)
)

COMES NOW the United States of America, by and through its counsel,
and moves this Court for an order dismissing the Indictment against the above-
captioned individual, with prejudice, pursuant to Rule 48(a) of the Federal Rules
of Criminal Procedure. Pursuant to a plea agreement reached in related case no.
3:05-cr-00109-JWS, the United States agreed to dismiss the instant indictment

against the defendant after sentence was imposed in that case. On June 7, 2006 the defendant was sentenced in that case.

RESPECTFULLY SUBMITTED this 21st day of June, 2006, at Anchorage, Alaska.

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s/Frank V. Russo
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I CERTIFY that a true and correct copy of the Government's Motion to Dismiss was served on the following counsel of record via electronic notice on June 21, 2006:

Pamela Sullivan, Esq.

s/ Frank V. Russo